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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,639	01/16/2004	Ayedin Nikazm	16356.834 (DC-05396)	1548
27683	7590	03/28/2006		
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			EXAMINER ELAMIN, ABDELMONIEM I	
			ART UNIT	PAPER NUMBER
			2116	

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/759,639	<b>Applicant(s)</b> NIKAZM ET AL.	
	<b>Examiner</b> A Elamin	<b>Art Unit</b> 2116	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/1/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibasaki et al, US. Pat. No. 5,270,946 in view of Walker, US. Pat. No. 4,015,420.

3. Claims 1, 13, 24, Shibasaki teaches an information handling system (IHS) [*computer sysytm 1 of fig. 1*] comprising:

a system board including a processor [*inherently, computer systems comprise a system board including a processor*];

a first battery for supplying power to the system board [*battery 17 of Fig. 1*];

a second battery for supplying power to the system board [*battery 18 of Fig. 1*]; and

a switching circuit coupled to the first battery, the second battery and the system board [*selecting circuit 19 of Fig. 1*], for switching between the first battery and the second battery for supplying power to the system board.

Shibasaki fails to teach switching circuit for repeatedly switching between the first battery and the second battery.

Walker teaches a battery select circuitry for repeatedly switching between a first battery and a second battery at predetermined time [*abstract, col. 5, line 50 thru col. 6, line 2*].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shibasaki to have the switching circuit for repeatedly switching between the first battery and the second battery, because it increases the life of the batteries and minimizes differences in the rate at which the batteries are depleted (*i.e., ensures uniform battery depletion which ensures longer power supply live*) [see Walker, col. 1, lines 37-40, col. 2, lines 15-17].

4. Claims 2, 14, Shibasaki teaches the switching circuit connects the first battery to supply power to the system board during first periods of time alternating with second periods of time during which the switching circuit connects the second battery to supply power to the system board [*abstract, see also selecting circuit 19 of Fig. 1*].

5. Claims 3, 15, Shibasaki teaches the peak power that can be drawn from the first battery during the first time periods is greater than the power that the first battery is capable supplying under a continuous load [*because using the battery to power the load all the time wears it out*].

6. Claims 4, 16, Shibasaki teaches the peak power that can be drawn from the second battery during the second time periods is greater than the power that the second battery is capable of supplying under a continuous load [*because using the battery to power the load all the time wears it out*].

7. Claims 5, 17, Shibasaki fails to teach the first time periods are equal in duration to the second time periods.

Walker teaches the first time periods are equal in duration to the second time periods [*abstract*].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shibasaki to have the first time periods are equal in duration to the second

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time periods, because it increases the life of the batteries and wears out the two batteries at the same rate.

8. Claims 6-7, 18-19, both Shibasaki and Walker fail to teach the first time periods are greater/shorter in duration than the second time periods.

This is an obvious matter of design choice. Therefore, a worker in the art would be motivated to have the first time periods being greater (or shorter) in duration than the second time periods, because it provides the user of the IHS with more flexibility.

9. Claims 8, 20, both Shibasaki and Walker fail to teach the switching circuit includes a field effect transistor (FET) switch.

Official Notice is taken that both the concept and the advantages of field effect transistor (FET) switch is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Shibasaki to include field effect transistor (FET) switch, because of its high speed switching.

10. Claims 9, 21, Shibasaki teaches the switch operates in response to a switching signal generator [*element 13 of Fig. 1*].

11. Claims 10, 22, Walker teaches the switching signal generator exhibits a variable switching frequency [*at predetermined time periods*].

12. Claims 11, 23, Shibasaki teaches a capacitor coupled to the switching circuit, wherein the capacitor is for stabilizing the voltage supplied to the system board [*inherently, capacitors are used to stabilize voltage and eliminate oscillations*].

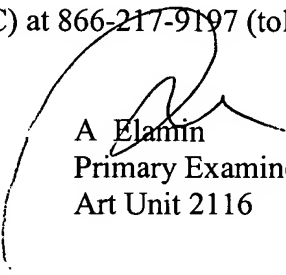
13. Claims 12, Shibasaki teaches the IHS is a portable HIS [*laptop, see col. 1, line 19*].

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A Elamin whose telephone number is (571) 272-3674. The examiner can normally be reached on MON-FRI 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A Elamin  
Primary Examiner  
Art Unit 2116

March 25, 2006